

001293

## REQUEST FOR COUNCIL ACTION

CITY OF SAN DIEGO

1. CERTIFICATE NUMBER  
(FOR AUDITOR'S USE ONLY)

2800 113

TO: CITY ATTORNEY

2. FROM (ORIGINATING DEPARTMENT):

Park and Recreation

3. DATE:  
4/14/08

11/18

## 4. SUBJECT:

Return of Endowment Funds for Maintenance of Medians on Montezuma Road to San Diego State University

5. PRIMARY CONTACT (NAME, PHONE, &amp; MAIL STA.):

Chris Zirkle, 533-6721, 804A

6. SECONDARY CONTACT (NAME, PHONE, &amp; MAIL STA.):

Steve Harwell, 533-6729, 804A

7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED



## 8. COMPLETE FOR ACCOUNTING PURPOSES

FUND	67050	67050		9. ADDITIONAL INFORMATION / ESTIMATED COST:
DEPT.	67050	67050		
ORGANIZATION				
OBJECT ACCOUNT	9544			
JOB ORDER		000001		
C.I.P. NUMBER				
AMOUNT	\$100,000	\$15,000		

## 10. ROUTING AND APPROVALS

ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED	ROUTE (#)	APPROVING AUTHORITY	APPROVAL SIGNATURE	DATE SIGNED
1	ORIG. DEPT	<i>[Signature]</i>	4/15/08	9	DEPUTY CHIEF	<i>[Signature]</i>	6/9/08
2	EAS (DSD)	<i>[Signature]</i>	4/22/08	10	COO	<i>[Signature]</i>	6/11/08
3	EOCP	<i>[Signature]</i>	5/1/08	11	CITY ATTORNEY	<i>[Signature]</i>	6/15/08
4	GENERAL SVCS (STREETS DIV)	<i>[Signature]</i>	5/16/08		ORIG. DEPT	<i>[Signature]</i>	8/22/08
5	DOCKET LIAISON	<i>[Signature]</i>	5/27/08				
6	FINANCIAL MGMT	<i>[Signature]</i>	6/2/08		DOCKET COORD:	COUNCIL LIAISON	8/11/08
7	AUDITOR	<i>[Signature]</i>	6/6/08		COUNCIL PRESIDENT	<input type="checkbox"/> SPOB <input checked="" type="checkbox"/> CONSENT <input type="checkbox"/> ADOPTION	
8	CFO	<i>[Signature]</i>	6/10/08		REFER TO:	COUNCIL DATE: 11/18/08	

## 11. PREPARATION OF:

☒ RESOLUTIONS☐ ORDINANCE(S)☐ AGREEMENT(S)☐ DEED(S)

1. Authorizing the return of an endowment, \$100,000 in principal, received from San Diego State University for maintenance of medians on Montezuma Road.
2. Authorizing the return of the unspent interest earned from an endowment, approximately \$15,000, received from San Diego State University for maintenance of medians on Montezuma Road.

11A. STAFF RECOMMENDATIONS: Approve the Resolution.

## 12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)

COUNCIL DISTRICT(S): 7

COMMUNITY AREA(S): College Area

ENVIRONMENTAL IMPACT: This activity is not a "project" and is therefore not subject to CEQA pursuant to State CEQA Guidelines Section 15060(c)(3)

ATTACHMENTS: Executive Summary, Sheet.

HOUSING IMPACT: N/A

CITY CLERK INSTRUCTIONS: Once copies of resolutions are available, please contact Steve Harwell 619-533-6729.

**EXECUTIVE SUMMARY SHEET**  
CITY OF SAN DIEGO

DATE ISSUED:  
ATTENTION: Council President and City Council  
ORIGINATING DEPARTMENT: Park and Recreation  
SUBJECT: Return of Endowment Funds for Maintenance of Medians on  
Montezuma Road to San Diego State University  
COUNCIL DISTRICT(S): 7  
CONTACT/PHONE NUMBER: Chris Zirkle/619-533-6721 and Steve Harwell/619-533-6729

**REQUESTED ACTION:**

Adopt a resolution authorizing the return of endowment funds from Montezuma Rd. Median Maintenance Fund number 67050, with interest, for maintenance of medians on Montezuma Road to San Diego State University.

**STAFF RECOMMENDATION:**

Return the \$100,000 principal from the endowment fund and return the approximately \$15,000 interest remaining.

**EXECUTIVE SUMMARY:**

On February 25, 2002, via Resolution R-296110, the City 1) established the Montezuma Road Median Maintenance Fund, Fund No. 67050, 2) accepted a \$100,000 endowment from San Diego State University for the maintenance of medians on Montezuma Road, and 3) authorized the expenditure of interest from the fund. The medians were at that time proposed for construction as CIP 52-692.0. San Diego State University (SDSU) collected the \$100,000 under the terms of an agreement between SDSU, the College Area Community Council (CACC), and the City under which \$1 from the sale of each ticket from all large commercial events held at Cox Arena would be used for capital improvements and maintenance expenses in the College Community Area.

The agreement between the City and SDSU reads in part: "If the College Area Community Council requests at the end of five years that the City return the \$100,000 transfer, a substitute funding mechanism for the maintenance of the medians must be established by the CACC".

Effective July 1, 2007, the City began funding the maintenance of the Montezuma Road medians with Gas Tax revenue. On October 11, 2006, the CACC voted to terminate the maintenance agreement on January 9, 2007 and on February 18, 2008, staff received a request from Dan Cornwaite, CACC Treasurer, formally requested return of the \$100,000 principal of the endowment along with approximately \$15,000 in unspent interest.

**FISCAL IMPACT**

The affected medians are currently being maintained with Gas Tax revenue and the endowment is not currently being used. Returning the endowment would allow the funds to be used for other purposes.

**PREVIOUS COUNCIL and/or COMMITTEE ACTION:**

001606

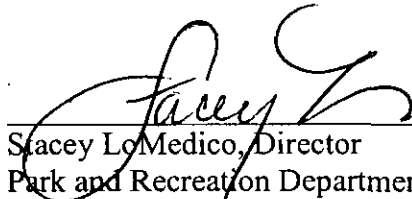
Executive Summary Sheet – Return of Endowment Funds for Maintenance of Medians on  
Montezuma Road to San Diego State University  
March 27, 2008  
Page 2 of 2

1. Resolution R-296110 dated February 25, 2002
2. July 19, 2001 Agreement between the City of San Diego and San Diego State University

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: The College Area  
Community Council has requested this action

STAKEHOLDERS AND PROJECTED IMPACTS: Returning the endowment would allow the  
funds to be used for other purposes.

3. Attachment: July 19, 2001 Agreement between the City of San Diego and San Diego State  
University

  
Stacey LoMedico, Director  
Park and Recreation Department

  
Elmer L. Heap  
Deputy Chief Community Services

001297

The City of San Diego  
**CERTIFICATE OF CITY AUDITOR AND COMPTROLLER**

**CERTIFICATE OF UNALLOTTED BALANCE**

AC 2800877  
 ORIGINATING  
 DEPT. NO.: 446

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \_\_\_\_\_ Fund: \_\_\_\_\_

Purpose: \_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
TOTAL AMOUNT										

FUND OVERRIDE ☐

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \$113,771.81

Vendor: San Diego State University

Purpose: Authorize the return of endowment including unspent interest for maintenance of medians on Montezuma Rd received from San Diego State University.

Date: June 6, 2008 By: \_\_\_\_\_

AUDITOR AND COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA										
ACCTG. LINE	CY PY	FUND	DEPT	ORG.	ACCOUNT	JOB ORDER	OPERATION ACCOUNT	BENF/ EQUIP	FACILITY	AMOUNT
001	0	67050			9544					\$100,000.00
002	0	67050	67050		4279	000001				13,771.81
TOTAL AMOUNT										\$113,771.81

FUND OVERRIDE ☐



001099

THE CITY OF SAN DIEGO

July 19, 2001

Ms. Sally Roush  
Vice President of Business and Financial Affairs  
San Diego State University  
5500 Campanile Drive  
San Diego, CA 92128-1620

Subject: Letter of Agreement

Dear Ms. Roush:

The City of San Diego is currently in the design phase of the Montezuma Road Landscaping project, which will improve the medians along Montezuma Road from the Fairmount interchange to College Avenue. Now that this project is underway, I want to formally request your assistance in signing this Letter of Agreement and transferring \$100,000 from the \$1.00 per-ticket fund established by San Diego State University (SDSU) to help fund the cost of water and maintenance for the Montezuma Road median improvements.

Upon receipt, the City will deposit the funds in a separate, interest-bearing trust fund established per the terms of this Letter of Agreement. The City agrees to expend only the interest from this account on the water and maintenance for the Montezuma Road median improvements. The City will be responsible for decisions regarding the investment and expenditures from this account, and will provide information on account activities upon request. Furthermore, the City agrees to maintain this account for a minimum of five years from the date of inception. If the College Area Community Council (CACC) requests at the end of five years that the City return the \$100,000 transfer, a substitute funding mechanism for the maintenance of the medians must be established by the CACC.

It is important that both San Diego State University and the College Area Community Council understand that if the interest earnings from the \$100,000 are insufficient to pay for the maintenance of the medians, the City is prohibited under Article XIID of the California Constitution (Proposition 218) from using general fund moneys to make up the shortfall.

Office of the City Manager

202 C Street, MS 9A • San Diego, CA 92101-3869

Tel (619) 236-6363 Fax (619) 236-6067




001300

Ms. Roush  
July 19, 2001  
Page 2

The City's contact on this project is Mary Braunwarth, Director of Development. If you have questions, please contact Mary at 619-533-3450. Thank you for your assistance with this request and for your support of this valuable project.

Sincerely,

  
Bruce Herring  
Deputy City Manager

cc: Councilmember Jim Madaffer  
Sandi Buehner, President, College Area Community Council

Please indicate your acceptance of the terms and conditions of this Letter Agreement by signing below.

"I hereby certify that I am authorized to sign on behalf of San Diego State University and agree to the terms and conditions of this Letter of Agreement."

  
Sally Roush  
San Diego State University

**College Area Community Council (CACC) and  
College Area Community Planning Board (CACPB)**

**Mailing Address:** P.O. Box 15723

San Diego, CA 92175-5723

**Website:** CollegeNeighborhoods.com/CACC

**E-mail:** cacc@CollegeNeighborhoods.com

## ***Approved Minutes***

*These minutes were approved at the CACC/CACPB meeting of October 8, 2008.*

**From the Regular Meeting held on: Wednesday, September 10, 2008, 7 PM**

**Held in:** Community Room, College-Rolando Branch Library,  
6600 Montezuma Road,  
San Diego, CA, 92115-2528

P	Doug	Case	President	P	Steven	Barlow	P	Joe	Jones
P	Daniel	Osztreicher	Vice President	P	Andy	Beauparlant	P	Martin	Montesano
P	Charles	Maze	Secretary	A3	Jim	Boggus	P	Rob	Nelson
P	Dan	Cornthwaite	Treasurer	P	Ann	Cottrell	P	Rosary	Nepi
P	James	Poet	SDSU AS Appointee	P	Jeremy	Ehrlich	P	Jan	Riley
P	Tyler	Sherer	SDSU Appointee	P	Sally	Ellis	P	Mitch	Yunker
				A3	Judi	Hopps		----	(Vacant)
P = Present    A1 / A2 / A3 / A4 = Absent 1 <sup>st</sup> , 2 <sup>nd</sup> , 3 <sup>rd</sup> , 4 <sup>th</sup>							<b>TOTALS</b>	<b>17</b>	<b>2</b>
CP600-24, Art IV, Sec 1: a vacancy exists upon the 3 <sup>rd</sup> consecutive absence or the 4 <sup>th</sup> absence in 12 months (April through March)									

**I. Call to Order / Pledge of Allegiance / Roll Call of Executive Board Members**

President Doug Case called the September 10 meeting of the College Area Community Council (CACC) to order at 7:13 PM. Jeremy Ehrlich led the pledge of allegiance.

*Note: Events reported below did not necessarily occur in the sequence indicated in the minutes*

**II. Approval of Current Agenda**

Motion - Approve current agenda

(Motion - Doug Case)

(17-0-0) Unanimously Approved

**III. Adoption and Approval of Consent Agenda - None**

**IV. Approval of Minutes from May 14, 2008, June 11, 2008, and July 9, 2008**

Motion - Approve Minutes from May 14, 2008, June 11, 2008, and July 9, 2008 as submitted.

(Motion - Rob Nelson)

(17-0-0) Unanimously Approved

**V. Announcements**

Doug Case announced that two former CACC Presidents have passed away since the last meeting: Dr. Paul Thomas, from Alvarado Estates and Harvey Goodfriend, one of the founding members of the CACC. Mr. Goodfriend lived in College View Estates for many years. Doug asked for a moment of silence for both men.

**VI. Public Comment on Non-Agenda Items**

- A. Sherri Brown, Young Audiences - Sherri spoke about Family Arts and Literacy Programs at the Kroc Center and left literature about the Young Audiences program and the Kroc Center.

**VII. Report of Government Liaisons**

- A. Marisa Luque – Council District 7 Representative Jim Madaffer – Marisa announced that Councilman Jim Madaffer will be at the CACC meeting in October. The CACC will soon receive a copy of a letter that Councilman Madaffer sent to the City Attorney requesting him to push for the ceasing of the sale of illegal drug paraphernalia by Smoke shops in the College Area.
- B. Officer Dean Thomas, Mid-City SD Police, CSO – Lt. Kane announced that Dean Thomas is the new area CSO.
- C. Chief John Browning, SDSU Police – Chief Browning spoke on efforts to curtail inappropriate behavior by students especially near the beginning of the new school year. He said four Administrative Citations were issued since the beginning of the school year.
- D. Kristin Beattie, City Attorney's office – Mid-City Neighborhood Prosecutor – Kristin is at the community Police meeting tonight.
- E. Deanneka Goodwin, US Rep. Susan Davis – Deanneka listed several events from the Congresswomen's newsletter.
- F. Tim Velasquez, Good Neighbor Program – Ignacio Prado discussed the Good Neighbor Program. The new Successful Community Living booklets will be mailed in the next couple weeks. The program is seeking community volunteers to work with the students to be first responders; more details will follow.
- G. Harold Webber, College BID – Harold spoke about the successful Summer Concert on Aug 24 in Clay Park and the BOO! Parade coming up on October 25th.
- H. Max Stalheim, College Area Community Planner – Max introduced himself.
- I. Tim Anderson, Code Enforcement Rep hired by SDSU – Tim introduced himself.
- J. Ben Levine, SDSU Interfraternity Council Judicial Director – Marc Schroeder spoke of upcoming events on campus.
- K. Tyler Sherer, SDSU Community Relations – Tyler discussed the Aztec Nights program on SDSU campus for the first five weeks of school to offer students alternatives to illegal parties with alcohol.
- L. Danny Osztreicher, Greek Interfraternity Council – Danny spoke of the "Rock the Vote" program on campus to encourage involvement in the November election.

**VIII. Treasurer's Report (Dan Cornwaithe)**

Dan Cornwaithe submitted the Treasurer's report (see attached).

**Motion - Approve Treasurer's Report**

(Motion – Dan Cornwaithe)

(17-0-0) Unanimously Approved



## Meeting of the CACC as Community Council

### IX. Committee Reports

#### A. Code Enforcement and Nuisance Rental Properties Committee (Ann Cottrell, Chair)

1. Ann Cottrell submitted the Committee Report from September 4, 2008 and discussed the CENRP's action in the past months. The committee has been working on fliers that will contain information regarding new ordinances and codes addressing nuisance properties and CACC's role.

Motion – Approve up to \$250.00 for the printing 1,000 ½ sheet information fliers to be hand-delivered with the Successful Community Living booklets.

(Motion – Committee)

(16-1-0) Approved with Danny Osztreicher dissenting

#### B. Projects, Finance and Beautification Committee (Dan Cornthwaite, Chair)

1. Dan Cornthwaite submitted the Committee Report from September 10, 2008 and discussed the committee efforts in the past months. Dan indicated the Committee was ready to move forward with the alternative funding for the Montezuma Media maintenance.

Motion – Recommend that the CACC executive Board make a finding that the Gas Tax Median Program is the substitute funding mechanism for the maintenance of the Montezuma medians.

(Motion – Committee)

(17-0-0) Approved unanimously.

2. Dan Cornthwaite discussed the efforts of the traffic Calming Project on Remington Road and handed out a plan for the next phase and a design of the new sign.

Motion – The Projects, Finance and Beautification Committee at their meeting on Sept 8, 2008, recommends that an amount not to exceed \$40,000.00 be allocated from the Dollar Per Ticket Fund for the Construction of the Remington Road traffic calming project.

(Motion – Committee)

(17-0-0) Approved unanimously.

### X. Delegate Reports

#### A. Crossroads Redevelopment Project Area Committee, (Charles Maze, CACC Designate)

1. Charles Maze discussed the Mid-City Rapid Transit Bus proposed to come to the College Area and passed out a presentation of the program from the PAC Mobility Study subcommittee.
2. Charles discussed the 63<sup>rd</sup> St. Project on El Cajon Blvd. More information can be found in the CACC September Newsletter article.

#### B. College Community Redevelopment Project Area Committee, (Jim Boggus, CACC Designate)

The PAC has not met since last CACC meeting.

### XI. Unfinished Business - None

### XII. New Business

#### A. Donation in memory of Dr. Paul Thomas (Action Item)

Motion – Donate \$100 in the memory of Dr. Paul Thomas to the Trinity Lutheran Church; and Donate \$100 in the memory of Harvey Goodfriend to the SDSU Campanile Foundation - Harvey Goodfriend Aztec Shops Scholarship Fund.

(Motion – Sally Ellis)

(17-0-0) Approved unanimously

## Meeting of the CACPB as Community Planning Group

### XIII. Project Review Committee, Rob Nelson, Chair

#### A. El Cerrito Enclave, Dorsey Subdivision - Project # 72057 (Information Item)

The proposal is to subdivide to create 4 single-family residences on 0.58 acres in the RS-1-7 zone at 5402 Gilbert Drive. The project was initially presented to College Area Community Council in June 2004 and subsequently revised to fewer residences (from 5 to 4 single-family residences), provide more open-space and greater amounts of on-site parking. These changes were in response to concerns of the Community Area Planning Committee and are reflected in new drawings/submittals.

#### B. College Area Public Facilities Financing Plan Update, Draft FY 2009 (Information Item)

#### C. Initiation of Community Plan Amendment and Rezone, 6599 Alvarado Road – (Possible Action Item)

Initiation of a study of a proposed community plan amendment and potential rezoning of the 9.99 acre lot located immediately west of Alvarado Hospital. The site is currently designated institutional and zoned CC-1-3 and RS 1-1. The applicant (Dinerstein Companies) is proposing to designate the lot as Very High Residential and rezone to RM-4-10 to accommodate multi-family apartments for hospital workers and students. A preliminary study by the applicant shows that the lot can accommodate approximately 800 apartments with the required parking and comply with the recreation and open space requirements. The Planning Commission will conduct a hearing at 9:00 a.m., Thursday, September 18 at the City Council Chambers for the limited purpose of discussing whether the proposed amendment meets the initiation criteria set forth in Municipal Code Section 122.0104.

Josh Vasbinder, from Dinerstein Companies, spoke on the exploratory nature of the proposed study and handed out a map of the proposed project area.

College Area Planner, Max Stalheim, explained the nature of the study and indicated CACC's continued role and opportunity to be involved at multiple phases of the proposed study and potential project.

Motion – Support the initiation of a proposed community plan amendment to designate 6599 Alvarado Road from CC-1-3 and RS1-1 to RM 4-10 to accommodate multi-family apartments  
(Motion – Committee)

Amendment – add “with special consideration to traffic, infrastructure, mixed use and possible lower density.”

(Motion – Ann Cottrell)

(17-0-0) Approved unanimously by consensus.

Original Motion with amendment -

Amended Motion – Support the initiation of a proposed community plan amendment to designate 6599 Alvarado Road from CC-1-3 and RS1-1 to RM 4-10 to accommodate multi-family apartments with special consideration to traffic, infrastructure, mixed use and possible lower density.

(15-1-1) Approved with Steven Barlow dissenting and Daniel Osztreicher abstaining

### XIV. Community Planners Committee, Doug Case, CACC Designate – No meeting in August

XV. **New Business**

- A. Appointment to fill vacant CACPB/CACC seat expiring March 2008 (Action Item)  
Motion – Appoint Harold Webber to fill vacant CACPB/CACC seat expiring March 2009.  
(Motion – Mitch Younker)  
(17-0-0) Approved unanimously
- B. Mid-City Rapid Bus Project – Intent to Adopt a Negative Declaration (Possible Action Item – requires a 2/3 vote to add to action agenda) Possible presentation at October 15, 2008 meeting.  
Doug Case discussed how he received the notice in the mail too late to add to our agenda. The item was discussed at the Crossroads PAC meeting. There is a public workshop on Sept 11<sup>th</sup>. Doug said he would try to get someone make a presentation to the CACC on this topic at the October meeting. No action was taken by the board.

XVI. **Adjournment**

- Motion - Adjourn the meeting  
(Motion- Rob Nelson)  
(17-0-0) Approved unanimously and meeting adjourned at 9:12 PM

Minutes respectfully submitted by Charles Maze, Secretary

*Charles Maze 10/8/2008*

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN  
DIEGO AUTHORIZING THE RETURN OF ENDOWMENT  
FUNDS TO SAN DIEGO STATE UNIVERSITY FOR  
MAINTENANCE OF MEDIANS ON MONTEZUMA ROAD.

WHEREAS, by Letter of Agreement dated July 19, 2001 between the City of San Diego and San Diego State University [Agreement], San Diego State University [SDSU] agreed to transfer \$100,000 from the \$1.00 per ticket fund established by SDSU to the City of San Diego [City] to help fund the cost of water and maintenance for the Montezuma Road Landscaping Project [the Project]; and

WHEREAS, pursuant to the Agreement, the City agreed to expend only the interest from this account on water and maintenance of the medians, and to maintain the account for a minimum of five years; and

WHEREAS, the Agreement provided that if the College Area Community Council [CCAC] requested at the end of five years that the City return the \$100,000 transfer, a substitute funding mechanism for the maintenance of the medians must be found by the CCAC; and

WHEREAS, on February 25, 2002, by Resolution R-296111, the City established the Montezuma Road Median Maintenance Fund, Fund No. 67050, accepted a \$100,000 endowment from SDSU for the maintenance of medians on Montezuma Road, and authorized the expenditure of interest from the fund; and

WHEREAS, on October 11, 2006, the CCAC voted to terminate the Agreement on January 9, 2007; and

WHEREAS, effective July 1, 2007, the City began funding the maintenance of the Montezuma Road medians with Gas Tax revenue; and

WHEREAS, by letter dated February 18, 2008, the CCAC formally requested the return of the \$100,000 principal along with any unspent interest;

WHEREAS, at the regular meeting of the CACC held September 10, 2008, the CACC by majority vote made the finding that the Gas Tax Median Program is the substitute funding mechanism for the maintenance of the Montezuma medians; NOW, THEREFORE;


BE IT RESOLVED, that the Council authorizes the return of the endowment, \$100,000 in principal, from Fund No. 67050, to SDSU; and

BE IT FURTHER RESOLVED, that the Council authorizes the return of the unspent interest earned from the endowment, \$13,771.81 as of June 6, 2008, from Fund No. 67050, to SDSU; and

BE IT FURTHER RESOLVED, that the Council of the City of San Diego finds that this activity is not a project and is therefore not subject to the California Environmental Quality Act [CEQA] pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
Kimberly Ann Davies  
Deputy City Attorney

KAD:ca:mm  
10/20/08  
Aud. Cert: N/A  
Or. Dept. P&R  
2009-132  
MMS: 6157

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor